

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE:

June 16, 2016

AGENDA DATE:

June 22, 2016

PROJECT ADDRESS: 821 Deerpath Road (MST2016-00163)

TO:

Susan Reardon, Senior Planner, Staff Hearing Officer

FROM:

Planning Division, (805) 564-5470

Danny Kato, Senior Planner

I. **PROJECT DESCRIPTION**

The 23,710 square-foot site is currently developed with 1,799 square foot single family dwelling which includes an "as-built" 154 square foot breakfast room addition and an attached 459 square foot two-car garage. The proposed project involves construction of a 499 square foot accessory building, an exterior shower, a 700 square foot pool, a 49 square foot spa, driveway alterations, new walls, fencing and 466 cubic yards of cut and fill grading, of which 43 cubic yards will be exported off site. The proposed total of 2,757 square feet in the Hillside Design District is 59% of the guideline maximum floor-to-lot area ratio.

The discretionary applications required for this project is a Modification to allow the detached accessory building to be located within a front yard (SBMC § 28.87.160 and SBMC § 28.92.110).

Date Application Accepted: May 24, 2016

Date Action Required: August 22, 2016

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to a condition.

III. SITE INFORMATION AND PROJECT STATISTICS

A. **SITE INFORMATION**

Applicant:

Mark Morando

(Max. 2 du/acre)

Property Owner: Movasagi 2006 TRUST

Parcel Number: 015-100-004

Lot Area:

23.710 sq. ft.

General Plan: Low Density Residential

Zoning:

A-2

Existing Use:

Single Family Residence

Topography:

18% slope

Adjacent Land Uses:

North - Residential

East - Residential

South - Residential

West - Residential

STAFF HEARING OFFICER STAFF REPORT 821 DEERPATH ROAD (MST2015-00163) JUNE 16, 2016 PAGE 2

B. PROJECT STATISTICS

		Existing	Proposed
Living Area		1645 sq. ft.	+154 "as-built" addition =
Living Area			1,799 sq. ft.
Garage		459 sq. ft.	No Change
Accessory Space		N/A.	499 sq. ft.

C. PROPOSED LOT AREA COVERAGE

Building: 2,950 sf 12% Hardscape: 4,596 sf 19.3% Landscape: 16,164 sf 68.3%

IV. BACKGROUND

There are three building permits on file for the property that have expired. Building permit #BLD91-00067 was for an "as-built" breakfast room addition, permit #BLD2004-01092 was for the replacement of existing windows, replacement of a brick fireplace with a prefab fireplace replaced plumbing fixtures and for 20 new can lights and #BLD2004-01529 was for repair and replacement of the existing driveway with concrete pavers. Conditions have been included to address these items.

V. <u>DISCUSSION</u>

The lot is a "through lot," and has street frontages on both Deerpath Road and Eucalyptus Hill Road. The proposal includes a new 499 square foot detached accessory building that is located behind the existing dwelling, but in the front yard of Eucalyptus Hill Road, the secondary property frontage. The Zoning Ordinance does not allow accessory buildings, except garages, in any portion of a front yard. Although the detached accessory building is located outside of the required 30' front setback facing Eucalyptus Hill Road, it is located in the remaining front yard and therefore requires modification approval.

Staff supports the request for the front setback modification because the site is constrained due to the two front yard; the location of the existing development on site; the secondary frontage is screened with dense landscaping; and the secondary frontage is steeply sloped, so the accessory building would not be easily visible from Eucalyptus Hill Road.

The proposal also includes a new swimming pool and spa at the property. Therefore, a condition has been included that any mechanical equipment associated with the pool and/or spa shall comply with the City's Noise Ordinance requirements.

A site inspection of the property revealed a detached shed located in the required interior setback and miscellaneous stored items in the required setbacks. Therefore, a condition has been included that the shed shall be removed from the property and that the stored items shall be removed from the required setbacks.

This project was reviewed by the Single Family Design Board (SFDB) on May 16, 2016 and was forwarded to the Staff Hearing Officer (SHO) with comments.

STAFF HEARING OFFICER STAFF REPORT 821 DEERPATH ROAD (MST2015-00163) JUNE 16, 2016 PAGE 3

VI. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed accessory building is appropriate because of the location of the existing development on site, the existing topography, and as the property is site constrained due to the two front yards facing Deerpath Road and Eucalyptus Hill Road which limits the areas where a detached accessory building could be allowed.

Said approval is subject to the following conditions:

- 1. The "as-built" work outlined under BLD91-00067, BLD2004-01092 and BLD2004-01529, shall be included in the project Scope of Work, subject to review and approval by the Single Family Design Board, and the building elevations with door and window openings shall be included on the plans submitted for Design Review.
- 2. Any mechanical equipment associated with the pool and/or spa shall comply with the City's Noise Ordinance requirements.
- 3. The shed located in the required interior setback shall be removed from the property.
- 4. The miscellaneous stored items shall be removed from the required setbacks and the required Open Yard area.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated May 16, 2016
- C. SFDB Minutes dated May 16, 2016

Contact/Case Planner: Danny Kato, Senior Planner (DKato@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101

Phone: (805) 564-5470 x2567

May 16, 2016

Staff Hearing Officer City of Santa Barbara Post Office Drawer 1990 Santa Barbara, CA 93102

Re: Movasagi Residence 821 Deerpath Road Santa Barbara, CA 931:08

Dear Mrs. Reardon,

RECEIVED

MAY 1 6 2016

CITY OF SANTA BARBARA PLANNING DIVISION

Enclosed please find the formal application for the project located at 821 Deerpath Road, within the Riviera's Eucalyptus Hill neighborhood, in the City of Santa Barbara. The parcel (-15-100-004) is zoned A-2 and has an approximate slope of 16.4%. The 23,710 square foot parcel is developed with a 1,799 net square foot one-story dwelling with an attached 459 net square foot two-car garage.

The proposal is to permit a detached accessory structure to serve as a pool cabana for the new pool. The property lies between two streets: Deerpath Road to the south, which is the main frontage where the driveway and main entrance to the dwelling are located and Eucalyptus Hill Road to the north, the secondary frontage, as it serves as the back yard for the property. The property slopes steeply from Eucalyptus Hill Road down to a flatter area twenty-five to thirty-five feet behind the master bedroom at the rear of the residence. Eucalyptus Hill Road on the west end of the property drops eighteen feet in fiftyfive feet from the pavement of the road to the flat area or thirteen feet over forty feet on the actual property not including the right-of-way. Eucalyptus Hill Road on the east end of the property drops twenty-one feet in seventy feet from the pavement of the road to the flat area or eighteen feet over thirty-eight feet on the actual property not including the right-of-way. The new accessory building will be 499 net square feet meeting the allowed 500 net square feet and will be located outside of the required thirty-foot front yard setback. The accessory building will have a nine-foot plate height with a three in twelve roof pitch to match the existing dwelling. The accessory building will be approximately 11'10" from finished grade making it below the existing grade on the property above on Eucalyptus Hill Road.

A Staff Hearing Officer (SHO) pre-consultation meeting was held on March 7th, 2016. SHO Staff supports the accessory structure within the remaining front yard. The owner of 821 Deerpath Road request your consideration for a yard modification pursuant to SBMC 28.92.100.A.2 regarding the prohibition of an accessory building within the front yard pursuant to S.B.M.C 28.87.160.B.

The front yard modification is for the accessory/pool cabana to be allowed within the remaining secondary front yard that serves, as the rear yard of the property. The roof of the cabana will be below the level of the road above. The cabana will have a half bath at the rear with an outdoor shower for the pool. The accessory building will mimic the architectural style of the house and the finished floor will be at basically the same height as the finished floor of the house. The pool itself is dropped down twenty-eight inches to reduce the amount of grading and balance the cut and fill on site. The project was designed to keep all retaining walls below four feet in height to reduce the amount of grading, footing sizes for economic reasons and balance the cut and fill on site. The pool fencing will meet the Zoning Ordinance code for setbacks. locations and height, as it is setback ten feet from the front property line off Eucalyptus Hill Road and along the interior property lines will be more than five feet from any retaining walls, so their heights are not combined. The combined square footages of structures on site will be 59% of the maximum floor area to lot area ratio.

The addition does not affect the use and enjoyment of the neighbor's property to the west, as their house sits down below quite a ways away and is screened by existing hedges and vegetation. The dwelling to the east sits closer to the street and above this property. The project does not propose to remove any trees only a couple of small Pittosporum hedges to the west.

The owner and I believe that the proposed accessory building and pool are appropriately designed and creates an improvement that is architecturally correct and functionally utilitarian, in that it adds an amenity to the main living space and gives the owner her needed therapeutic pool for her medical condition in the privacy of her own property. The front yard modification for the allowed accessory building secures an appropriate improvement and prevents an unreasonable monetary hardship of two front yards that encompass 90% of area of the lot not including the dwelling.

Thank you for your consideration in this matter. Please feel free to call 805-680-2703 if you have any questions or comments regarding this request.

Sincerely,

Mark Morando

Morando Planning & Design

markemorando

May 13, 2016

NEW ITEM

E. 821 DEERPATH RD

A-2 Zone

Assessor's Parcel Number:

015-100-004

Application Number:

MST2016-00163

Owner:

Narges Movasagi

Agent:

Mark Morando

(Proposal for a new 499 square foot accessory building, a new 700 square foot pool, 49 square foot spa, and associated walls and fencing to an existing 1,799 square foot, single-family residence with an attached 459 square foot two-car garage. The project includes driveway improvements and 405 cubic yards of cut and fill grading, of which 25 cubic yards will be exported off site. It also includes permitting a previously approved and permitted 163 square foot addition and window replacement, for which the building permit has expired. The proposed total of 2,757 square feet on a 23,710 square foot parcel in the Hillside Design District is 59% of the guideline maximum floor-to-lot area ratio. This project requires certification of a slope calculation to qualify for a 5 foot front setback reduction along Eucalyptus Hill Road. This project includes Staff Hearing Officer review for a zoning modification to allow an accessory building in the front yard.)

(Comments only no action can be taken.)

Motion: Continued indefinitely to Staff Hearing Officer with positive comments and continued

indefinitely to Consent Review. Applicant to return with a landscape plan including

privacy screening.

Action: Woolery / Moticha, 2/0/0. Motion carried

** CONSENT REVIEW ADJOURNED AT 11:50 A.M. **